

FOLGER LEVIN & KAHN LLP
Michael F. Kelleher (SB#165493)
Embarcadero Center West
275 Battery Street, 23rd Floor
San Francisco, CA 94111
Telephone: (415) 986-2800
Fax: (415) 986-2827

RECEIVED

2009 JAN 26 PM 3: 22

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

GOODWIN PROCTER LLP
J. Anthony Downs (*Pro Hac Vice*)
Roland H. Schwillinski (*Pro Hac Vice*)
Michael G. Strapp (*Pro Hac Vice*)
Emily J. Cooper (*Pro Hac Vice*)
Exchange Place
Boston, Massachusetts 02109-2881
Tel: (617) 570-1000
Fax: (617) 523-1231

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BOSTON SCIENTIFIC CORP. and
TARGET THERAPEUTICS, INC.,

Plaintiffs,

v.

CORDIS CORPORATION,

Defendant.

Case No.: C02-1474-JW

**STIPULATED MISCELLANEOUS
ADMINISTRATIVE REQUEST TO FILE
DOCUMENTS UNDER SEAL**

Hearing Date: February 9, 2009

Time: 3:00 p.m.

Place: Hon. James Ware

Pursuant to Civil Local Rules 79-5 and 7-11, Plaintiffs Boston Scientific Corporation and Target Therapeutics, Inc. (collectively "BSC") hereby request that the Court file under seal the Opposition to Cordis's Motion *in Limine* to Exclude Certain Evidence and Testimony Concerning Lost Profits as a Measure of Damages, and Exhibits A, C, E, G, I, J, R, S, T and U to the Declaration of Michael Strapp in Support of Plaintiffs' Oppositions to Cordis's Motion *in Limine* ("Strapp Declaration").

The Opposition and Exhibits to be filed under seal have been designated as "Confidential" under the Protective Order in this case, Docket No. 491, and/or contain information designated as "Confidential" by BSC, Cordis Corporation, and/or The Regents of the University of California.

1 Accordingly, BSC requests that the Court grant this Miscellaneous Administrative Request, and file
2 under seal Exhibits A, C, E, G, I, J, R, S, T and U to the Strapp Declaration. A Proposed Order
3 granting this request is submitted herewith.

4 Counsel for Cordis has reviewed this stipulated request and does not object to it.
5

6 DATED: January 26, 2009

By: /s/ Michael G. Strapp
Paul F. Ware, Jr. (*Pro Hac Vice*)
J. Anthony Downs (*Pro Hac Vice*)
Roland H. Schwillinski (*Pro Hac Vice*)
Michael G. Strapp (*Pro Hac Vice*)
GOODWIN PROCTER LLP
Exchange Place
Boston, Massachusetts 02109-2881
Tel: (617) 570-1000
Fax: (617) 523-1231

FOLGER LEVIN & KAHN LLP
Michael F. Kelleher (SB#165493)
Embarcadero Center West
275 Battery Street, 23rd Floor
San Francisco, CA 94111
Telephone: (415) 986-2800
Fax: (415) 986-2827

Attorneys for Plaintiffs
BOSTON SCIENTIFIC CORP. and TARGET
THERAPEUTICS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RECEIVED

2009 JAN 26 PM 3: 22

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

BOSTON SCIENTIFIC CORP. and
TARGET THERAPEUTICS, INC.,

Case No.: C02-1474-JW

Plaintiffs,

~~[PROPOSED]~~ ORDER GRANTING
MISCELLANEOUS ADMINISTRATIVE
REQUEST TO FILE DOCUMENTS UNDER
SEAL

vs.

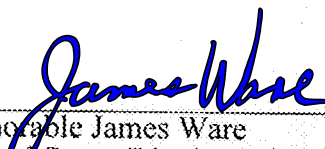
CORDIS CORPORATION,

Defendants.

Pursuant to Plaintiffs Boston Scientific Corp.'s and Target Therapeutics, Inc.'s Stipulated Miscellaneous Administrative Request, the Opposition to Cordis's Motion *in Limine* to Exclude Certain Evidence and Testimony Concerning Lost Profits as a Measure of Damages and Exhibits A, C, E, G, I, J, R, S, T and U to the Declaration of Michael Strapp in Support of Plaintiffs' Oppositions to Cordis's Motion *in Limine* shall be filed under seal and not placed in the public file in this action.

Pursuant to stipulation, IT IS SO ORDERED

Dated: Feb. 3, 2009


Honorable James Ware
United States District Judge
Northern District of California